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Object: Public comment about the proposed final settlement between Microsoft Corporation and the US Department of Justice
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Good day,

I have worked in the computer industry for 20 years, using IBM mainframes as well as various Unix and Windows machines, specializing in both technical support and software development. My opinion is also inspired from plain common sense.

I believe the proposed final settlement is a setback for the world economy, and a severe disservice to present and future generations. My point is simple: Monopolies cannot play a useful role forever.

I think one way that monopolies are initially useful is in bringing to market some innovative products that establish directions and de facto standards, which is certainly preferable to chaos resulting from too much competition. Microsoft deserves a lot of credit for having popularized easier to use computers. They forced the industry to focus on this issue. As a result, today most business and home users expect to interact with any software application in a standard way. This has been a definite step forward, compared to the days when every application came with its own way of using it. This certainly helped tremendously in bringing computers to the masses, which in turn played a major role in supporting the computer revolution, as no industry could exist without consumers. In my view, this is Microsoft's most important contribution (even though I disapprove some of the marketing approaches they used to achieve it), but there certainly are others.

However, I think in general monopolies tend to become counter-productive as time goes by. Any company holding a monopoly eventually takes its market for granted. Once established, a monopoly just no longer *needs* to truly innovate. Its size alone makes it less efficient and slower. In the absence of competition-induced pressure, productivity and quality tend to go down. Prices may be set too high. New products may be held back in order to extract more money from the market using current products (this is one reason why Gene Amdahl started his own company, in 1970, to compete against IBM mainframes). In short, a monopoly causes its industry to slow down, or to progress at the pace set by the monopoly. Such ill effects are bound to happen, sooner or later, despite the company's denials, simply because of human nature. People run companies, and people produce and innovate best in an environment of freedom, openness, and reasonable pressure induced by fair competition - this is just a basic principle of the free enterprise capitalism system. Microsoft will not escape any of this, and many, including myself, say ill effects are already taking place.

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Communism was in my view, the ultimate form of monopoly. History has taught us how wrong this concept was. Considering that today, at the dawn of the Information Age, virtually every government, enterprise and individual relies on the computer industry, a monopoly in that industry tragically affects the entire economy, and even democracy, so I think the analogy holds.

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When a monopoly is torn down, its industry is free to flourish again. The telephony industry would likely not be where it is today had the Bell monopoly not been broken in 1982. The Internet, which plays major roles in today's economy, is not the product of any monopoly; it was born in the more opened Unix world. The concept of graphical user interfaces was not invented by Microsoft, which merely improved and marketed it (the idea itself was born in the Xerox Palo Alto research center, and it was also commercialized earlier by Apple – actually the complete story is much more complex than that). There certainly are many more examples proving that freedom and competition yield to motivation, which in turn yields to best innovations and true progress.

Blessing Microsoft's monopoly will, at best, slow down the computer industry. More realistically though, it will keep the quality down. Unfortunately, one area in which Microsoft Windows is particularly weak is computer security. The fact that successful security attacks cost companies huge amounts of money is already bad enough. But even worse is the possibility, which no one can totally dismiss, as some credible studies have suggested, that a computer system break-in results in a genuine catastrophe causing loss of human life. It is therefore critical that computer security be tightened as much as possible. But Windows is inherently insecure due to its very architectural roots. I do not believe that Microsoft, especially as a monopoly, can quickly and completely bring Windows security at the level offered today by other operating systems.

I urge you to reconsider the proposed final settlement. A minimal appropriate penalty must make it mandatory to clearly separate the sale of hardware and operating system software, as well as to publish the hooks into Windows along with file formats and communication protocols, so that third parties can more easily write better interoperable Windows applications. On top of that, I would favor any measure forcing Microsoft to *compete* rather than *control*. My favorite scenario would involve releasing the entire Windows operating system in the public domain, or the open source community (a "source" is the text or human readable form of a computer program). That certainly would be a penalty, encompassing all the minimum attributes I listed above. In addition, that would automatically split Microsoft, leaving it with Windows applications in a market where it would *have* to compete. And potentially, some of the best minds of the open source community could start to generally improve Windows, fix bugs in it and make it more secure, ultimately making it more useful for everybody. That scenario would also encourage more people to adopt better and more secure operating systems that are already available today.

Regards,

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